



TOWN OF TRURO
Conservation Commission
24 Town Hall Road
P.O. Box 2030, Truro MA 02666

Conservation Commission Meeting Minutes

August 1, 2016

6:30 P.M. in the Selectman's Meeting Room

Members Present: Chair Deborah McCutcheon, Jim Bisceglia, Diane Messinger, Linda Noons-Rose, Larry Lown, Jack McMahon and Henry Lum

Others Present: Emily Beebe-Conservation Agent

Presentation: Gordon Peabody of Safe Harbor presented the Commission with an educational handout designed to accompany Orders of Conditions and Staging permits for contractors working on the beach. The handout prescribes the proper procedure for anyone who encounters cold stunned sea turtles on the beach in the winter, and what to do if one comes across a cold stunned turtle. Safe Harbor has provided the Commission with laminated copies of the protocol. **Motion to distribute the informational handout from September through April by Lum; second by Bisceglia. Approved unanimously.**

Proposed Conservation Restriction, 15 Cabral Farm Road, Truro Conservation Trust: Continued until the September 12, 2016 meeting.

588 Shore Rd, Request for Determination of Applicability, Ellen A. Lanigan, Construction of a shed: Motion to continue to September 12 hearing by Messinger; second by Bisceglia. Approved unanimously.

617 Shore Rd, Notice of Intent, Dorothy M. Nearen, Septic upgrade, SE# 75-992: The proposal includes an upgrade of the existing septic system for a real estate transfer. William Rogers was present to describe the project. A Bordering Vegetated Wetland has been flagged in the rear of the property. The new system will be located as far from the wetland as possible. The Board of Health has approved the plan. At the time of the hearing a DEP file number was not issued. **Motion to continue to the September 12, 2016 meeting by Bisceglia; second by Lown. Approved unanimously.**

408 Shore Rd, Notice of Intent, Kevin Shea, Demolition of existing cottages: The proposal includes demolition of the four cottages on the property. Kevin Shea was present to discuss his application. Demolition will occur in two stages; the first is removal of all asbestos; the second is demolition of the cottages. Work limit fencing will run along the western edge of the property line and off of the first cottage. McCutcheon stated that while on site she had noticed pieces of shingles and debris in the sand around the buildings and believes the sand should be screened to remove the debris. The applicant agreed.

Public Comment: John McDermott of 398 Shore Road asked what the demo site will look like after the demo including how much asphalt will be removed; he also asked about the plan for a barrier to prohibit public access across this property. The Chair stated that the only item currently in front of the Commission is the demolition of the cottages. Mr. Shea stated that the asphalt in front of his cottages is in good shape and will remain in place. He will place fencing and no trespassing signs on the property to discourage the public from parking to access the beach. The current septic system will remain in place until it can be determined if it is adequate for future use. Richard Carosello stated his concern about bare sand in place of the cottages. The Commissioners noted that planting must be done. Mr. Shea objected to planting as he plans to construct a single family residence to include landscaping and would prefer not to plant twice. The Chair stated that the approval process for a new residence may be a lengthy period of time and planting of beach grass will be required in the meantime.

At the time of the hearing a DEP file number had not been issued. The Commission discussed issuing an Order of Conditions provided that no additional concerns are brought to light by DEP when they issue a file number. If the DEP has no other requirements the Order of Conditions will issue without any further discussion when a number has been assigned, otherwise it will have to be heard further at the meeting of September 12.

Motion to issue an Order of Conditions with the following special conditions:

- A DEP file number is given and DEP has provided no additional comments**
- The contractor shall screen the sand to a depth of 5 inches to ensure all debris and asbestos has been removed.**
- Fencing and appropriate signage will be put in place to ensure that the property will not be used for parking and beach access. The Commission may require further action if issues arise and it is deemed necessary.**
- Beach grass will be planted on 12inch matrix on exposed sand.**
- The Commission will retain jurisdiction to amend the orders to ensure better exclusion of the public should it become necessary.**

Motion by Bisceglia; second by Messinger.

Marie Belding of 542 Shore Rd commented about a new rodent problem on the beach that she believes it is due to the work on 402 and 408 Shore Rd. The Commission discussed this issue and the lack of evidence that the rodents had come from Mr. Shea's property. **There was continued discussion about the rodent issue and an amendment to the motion was added:** If an issue arises that can be traced to this property the Commission will entertain a discussion with the property owner.

Marjorie Morse of 396 Shore Road had questions about what would happen to the septic system and parking lot. Her questions were briefly discussed.

The Motion as described above was approved unanimously.

402 Shore Rd, Request for Amended Order of Conditions, Joan Siniscalco; SE # 75-0872: The property owners have requested an amendment to address changes to the project including an order from the Town of Truro to demolish the building. David Bennett from Bennett Environmental represented the owners. In 2012 an Order of

Conditions was issued for demolition of the motel and construction of a single family residence; the Order is still valid under the Permit Extension Act, but needs to be amended to reflect current conditions.

The owner/applicant intends to move forward with the demolition and is developing plans to downsize the dwelling; new plans are not finalized. The Chair stated that revised plans that show construction of a dwelling will not be reviewed until the demolition is completed. Amendments to the Order regarding the demolition will be made today and the hearing closed. Mr. Bennett read the existing Order of Conditions. The following conditions shall be added to the existing Order of Conditions:

-The top 5 inches of sand will be screened to ensure all debris and asbestos has been removed.

-Fencing and signage will be put in place to ensure that the property will not be used for parking and beach access. The Commission may require further action if issues arise and it is deemed necessary.

-A parking area will be defined; the balance of disturbed area will be planted with beach grass.

-Beach grass will be planted on 12 inch matrix on exposed sand.

Mr. Bennett will submit a parking plan that shows a hardened parking space for the owners to access the property and area of plantings. **Motion to Amend the Order of Conditions with the addition of the special conditions by Bisceglia; second by McCutcheon. Approved unanimously.**

2 Sturdy Way, Request for Certificate of Compliance, Tim Dickey for Barbara and Ronald Rentel, SE# 75-0944: Motion to approve by Lown; second by Messinger. Approved unanimously.

29 Great Hills Road, Request for Change in Plans, George Vaida, SE# 75-0969: Motion to approve by Messinger; second by Lown. Approved unanimously.

Meeting Minutes

Motion to approve the June 22, 2016 minutes with corrections by Lown; second by Messinger. Motion approved 6-0-1 with McMahan abstaining.

Topics for Future Meetings

- Discussion on enforcement and public education and ways to notify owners that their property is in jurisdiction; notification of owners at a property transfer that they have acquired a property in jurisdiction.
- Discussion of fines for homeowners and/or contractors and development of a clear policy on fines.
- Discussion of Express Building Permits and the proposed “Best Management Practices” sheet; better communication between Building and Conservation Departments and the public regarding permitting.

Motion to adjourn by Bisceglia; second by McCutcheon. Approved unanimously.
The meeting adjourned at 8:03 p.m.

Site Visit Minutes

August 1, 2016

1:15 P.M. Met at the Cobb Library parking lot.

Members Present: Deborah McCutcheon, Jim Bisceglia, Diane Messinger, Larry Lown and Henry Lum. Linda Noons-Rose arrived at 588 Shore Rd at 1:50 p.m.

Others Present: Emily Beebe-Asst Health/Conservation Agent, Nicole Smith-Secretary

402 and 408 Shore Rd: Kevin Shea met the Commissioners on site, where he explained the asbestos removal and demolition protocol.

588 Shore Rd: Owners Emily and Ellen Lanigan were present on site. Work on an AR permit application went forward at this location before the Commission had ratified it. The Commission observed this completed work. The Commission also observed vegetation management that occurred without a permit. The applicants suggested they would withdraw their shed permit application.

617 Shore Rd: The Commission viewed the staking for the proposed septic upgrade.

2:15 P.M. site visits concluded.

Respectfully Submitted,

Nicole Smith, Secretary
Approved September 12, 2016